

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

LEVITON MANUFACTURING CO., INC.,

Plaintiff,

vs.

FUJIAN HONGAN ELECTRIC CO., Ltd, et al.,

Defendant.

Case No: 3:10-cv-03961-WHA

~~PROPOSED~~ ORDER PARTIALLY  
DISMISSING CLAIMS AGAINST  
CENTRAL PURCHASING LLC AND  
HARBOR FREIGHT TOOLS USA,  
INC. WITHOUT PREJUDICE AND  
WITHOUT COSTS

The court has been advised by counsel for Leviton Manufacturing Co., Inc. ("Leviton") that Leviton has been ordered by the United States District Court for the District of New Mexico to dismiss its claims against Central Purchasing LLC ("Central Purchasing") and Harbor Freight Tools USA ("Harbor Freight") to the extent that these claims are based upon the purchase and sale of products manufactured by General Protecht Group, Inc. ("General Protecht"). Leviton has filed a notice of partial dismissal of its claims against Central Purchasing and Harbor Freight. Having reviewed this notice, IT IS HEREBY ORDERED THAT:


The First Cause of Action against Central Purchasing and Harbor Freight is dismissed without prejudice to the extent that it is based on products manufactured by General Protecht.

The Third Cause of Action against Central Purchasing and Harbor Freight is dismissed without prejudice to the extent it is based on products manufactured by General Protecht.

Neither the First nor Third Causes of Action against Central Purchasing and Harbor Freight are dismissed to the extent that they are based on allegations that Central Purchasing and Harbor Freight have sold products manufactured by an entity other than General Protecht.

Each party shall bear its own attorneys' fees and costs.

Entered this 16th day of December, 2010.

  
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Honorable William Alsup  
United States District Judge